

REMARKS/ARGUMENTS

Claims 1, 3-14 and 16 are present in this application. By this Amendment, the specification and claims 1, 9 and 11 have been amended, and claim 2 has been canceled. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

At the outset, Applicants extend their appreciation to Examiner Spisich for his courtesy in conducting the informal telephone interview with Applicants' representative on April 19, 2007. During the interview, Applicants representative addressed the objection and rejection with regard to the claimed "five-bar" mechanism. Examiner Spisich suggested that reference to the five-bar mechanism could be eliminated and pending an updated search may place the application in condition for allowance. Examiner Spisich also agreed not to make any next Action "final" if this response was submitted along with a Request for Continued Examination.

The disclosure was objected to due to a number of informalities, and claims 1-15 were rejected under 35 U.S.C. §112, second paragraph.

With regard to the mechanism being described only with respect to one side, the Office Action contends that the mechanism that actuates the pothole protection mechanism "cannot and does not operate only one side of the pothole protection mechanism independently of the other side." Applicants respectfully submit, however, that this contention is misplaced. As would be apparent to those of ordinary skill in the art, the two sides of the pothole protection mechanism are indeed independently operable, and in fact a viable embodiment may include only one side of the mechanism. That is, with reference to Figs. 2 and 3, if the entire left side of the mechanism was eliminated, the right side mechanism would still function properly and as intended. That is, the actuator 24 would still engage the crank 34 via roller 36 to actuate the mechanism regardless

of whether the opposite side mechanism was in place. It is clear then that the Examiner's statement that the device "must operate as a whole to function" is inaccurate. In addition, as suggested during the telephone interview, reference to the "five-bar" mechanism has been eliminated.

The Office Action further provides that "it is improper to include the vehicle frame (12) and the connector (40) as bars in the five-bar mechanism." Without conceding this contention, reference to the five-bar mechanism has been eliminated. Furthermore, eliminating reference to the five-bar mechanism renders moot the Examiner's point with regard to the actuating member engaging the crank arm.

Finally, with regard to purported language read as if the pothole protection mechanism actuates itself, without conceding this contention, reference to the five-bar mechanism has been eliminated.

Reconsideration and withdrawal of the objection and rejection are respectfully requested.

Applicants acknowledge with appreciation the indication that claim 16 is allowed and that claims 1-14 include allowable subject matter.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

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Respectfully submitted,

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